IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 30TH OCTOBER 2006 / 8TH KARTHIKA 1928

Bail Appl..No. 5808 of 2006

CMP.1790/2006 of J.M.F.C.-II, CHENGANNUR
CRIME NO.151/2006 OF EXCISE RANGE, CHENGANNUR

.....

PETITIONER/ACCUSED:

VIKRAMAN, AGED 40 YEARS,
S/O. GOPALAN, VILLOONNIYIL VEEDU,
PULIYOOR, CHENGANNUR.

BY ADV. SRI.R.VINOD

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR C.K. SURESH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5808/2006

DATED THIS THE 30TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 29.8.2006 by the Inspector of Excise Range, Chengannur, who registered C.R.No.151/2006 of that Excise Range, for the offence punishable under Section 8(1) & (2) of the Abkari Act. As there is another crime registered against him and was pending at the time of committing of C.R.No.151/2006, the bail was not granted to him by the Court below. The petitioner is now before this Court, for an order under Section 439 Cr.P.C., as he is in judicial custody from 29.8.2006.

2. Considering that sixty days are complete for the petitioner being in judicial custody, I grant bail to the petitioner under Section 167(2) Cr.P.C., and release him from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond

for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Chengannur.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Friday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 3.11.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs